



THE CITY OF SAN DIEGO

**CITIZENS' EQUAL OPPORTUNITY COMMISSION  
REGULAR BUSINESS MEETING**

***\*CD of Recorded Minutes available upon request***

**MINUTES**

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**Wednesday, September 1, 2010 - 6 P.M. – 8 P.M.  
City Administration Building  
Council Committee Room  
202 C Street – 12<sup>th</sup> Floor  
San Diego, CA 92101**

**Commissioners Present:**

Shirley Weber (Chair)	Maurice Wilson
Stampp Corbin (Vice Chair)	Juan Gallegos
Mike Olivier	Ron Cho

**Absent Commissioners: Brad Barnum, Eileen Chaske, Debbie Day**

**MAYOR'S STAFF:**

Debra Fischle-Faulk, Administration Department Director  
Hildred Pepper, Purchasing & Contracting Department Director  
Laura Davis, Equal Opportunity Contracting Program, WPO

- I. CALL TO ORDER:** The meeting was called to order at 6:03 p.m. by Chairperson Shirley Weber.
- II. APPROVAL OF MINUTES AND AGENDA:** Agenda was unanimously approved. Minutes from August 4<sup>th</sup>, 2010 unanimously approved.
- III. PUBLIC COMMENT: NONE**
- IV. ACTION ITEMS:** Both the Local Jobs and Green Jobs programs are being redesigned by City Council. Drafts will be provided to the Commission when available.
- V. STAFF REPORT: Debra Fischle-Faulk – Director's Program Update for CEOC**

An update was provided on the following:

**Small Local Business Enterprise Program**

•***Application Workshops:***

7/26/10 San Diego Regional Minority Supplier Development Council

► **188** applications received, **100** approved, **72** pending, **12** denied, **4** inactive

• As of 7/01/10 - **45** new projects – **18** restricted competition to SLBE/ELBEs, **16** SLBE/ELBE goals established, **9** SCOPE and **2** federal goals established

**Contract Compliance Software Package**

- Upcoming \$15m Davis Bacon project will be monitored through new software
- *Contractor training* mid to late September (firm searches, payroll submittals, monthly report submittals) working through downloading issues
- Certification module to be loaded in late August, early September (contractor working through programming issues) – update meeting scheduled 9/02/10

**Federal/State Funded Projects**

- Caltrans Annual DBE Program submitted as required – Program Approved

**Labor /Contract Compliance**

- Staff training on Apprenticeship Utilization 8/26 & 8/27 – additional prevailing wage training scheduled for 9/10
- As of 9/01/10 staff is monitoring 28 active prevailing wage contracts, work is complete on an additional 13
- Recovered \$1,152.52 to underpaid employee
- Formally reported a prime contractor to DAS for not utilizing apprentices as required

**Other**

- New Program Manager – finalizing reference checks – offer next week
- Coral Construction Case – decision
- New Main Library Project approved with 20-30% goals – formal status report will be submitted by Turner Construction 9/29/10
- Civic Center (New City Hall) ballot initiative – Vetoed
- Local Jobs Ordinance returned to Rules – no decision, further discussion required – new approach under consideration

**VI. DISCUSSION ITEMS: NONE**

**VII. SUBCOMMITTEE REPORT: NONE**

**VIII. COMMISSIONERS ANNOUNCEMENTS: NONE**

**IX. CHAIR'S REPORT: NONE**

**X. ADJOURMENT: 7:38 P.M**

\*\*\*Materials Provided

- I. Agenda
- II. Minutes of August 4, 2010
- III. Staff Report

CITY OF SAN DIEGO  
Equal Opportunity Contracting  
Director's Program Update for Citizens Equal Opportunity Commission  
September 1, 2010

**Small Local Business Enterprise Program**

**•Application workshops:**

4/08/10, Mayor's Initial Announcement Balboa Park Club  
5/19/2010, Balboa Park Club Bidders Symposium  
5/25/10 Tubman Chavez Multicultural Center  
6/01/10 DVBE Meeting, Balboa Park Veterans Building  
6/02/10 Subs for Subs, Balboa Park Club  
6/03/10 Turner School of Construction Management Airport Authority Facilities  
Maintenance Building  
6/04/10 City protégés, War Memorial Building  
7/20/10 Asian Business Association Meeting  
7/26/10 *San Diego Regional Minority Supplier Development Council*

- ▶ **188** applications received, **100** approved, **72** pending, **12** denied, **4** inactive
- ▶ Announcement with application posted on City's website
- ▶ Application posted on P&Cs vendor website 6/07/10
- ▶ Several notices sent out to City's database and several Caltrans certified firms
- ▶ 3 notices with application sent out to Minor Construction Program participants

**•Program Presentations:**

- Radio coverage on SBAs station
- 4/09/10 Consultant Group Presentation
- 4/14/10 Public Agency Consortium (PAC) meeting
- 5/26/10 Consultant Group Presentation
- 5/27/10 Mtg. w/ President SD Regional Minority Supplier Development Council
- 6/10/10 Presentation to Construction Industry
- 7/28/10 Supplier Diversity Week
- Goal Setting Committee established- 2<sup>nd</sup> meeting 7/19/10
- Bid discount application spreadsheet developed being reviewed by P&C
- Bid specifications drafted and approved
- good faith documents finalized – using Caltrans forms
- A&E consultant input meetings 4/09/10,
- General Requirements Contracts – additional smaller contracts identified for SLBEs only
- Joint Effort with Asian Business Association – How to do Business with City and SLBE  
Application Workshop – 7/20/10, Catamaran Resort
- Prior Minor Construction Program sunset – new SLBE Program for small contracts applies
- As of 7/01/10 – 45* new projects – *18* restricted competition to SLBE/ELBEs, *16* SLBE/ELBE goals established, *9* SCOPEs, *2* Federal goals established

### **Contract Compliance Software Package**

- *Upcoming \$15m Davis Bacon project will be monitored through new software.*
- Historical data loaded, working on FY2010 data – download scheduled 8/6/10
- Labor Compliance, Contract Compliance, and Vendor Compliance modules loaded
- Training held 6/15 & 6/16
- *Contractor training mid to late September (firm searches, payroll submittals, monthly report submittals) working through downloading issues*
- Certification module to be loaded in *late August, early September (contractor working through programming issues)- update meeting scheduled 09/02/10*
- Loaded data demonstration – 04/08/10
- Weekly conference calls and data sharing
- Configuration complete

### **Internal Audit**

- Complete, corrective actions begun.
- Presented at 6/14/10 Audit Committee meeting
- Vice Chair Corbin attended and addressed Committee

### **Federal/State Funded Projects**

- Caltrans Annual DBE Program submitted as required – *Program Approved*
- Caltrans, SCOPe goal calculation review meeting August
- Several reports due July and August – gathering data
- Prepared and submitted required program, annual and project-by-project goals to FAA
- EPA, CDBG, FHWA, CALTRANS, FEMA and Clean Water State Revolving Fund (CWSRF) programmatic goals have updated and included in bid specs.
- HUD Annual Report for period 1 submitted to CDBG staff

### **Labor /Contract Compliance**

- *Staff training on Apprenticeship utilization 8/26 & 8/27 – additional prevailing wage training scheduled for 9/10*
- *As of 9/01/10 staff is monitoring 28 active prevailing wage contracts, work is complete on an additional 13*
- *Recovered \$1,152.52 to underpaid employee*
- *Formally reported a prime contractor to DAS for not utilizing Apprentices as required*
- fine assessed \$2,695 – unlisted sub
- Recovered \$60,000 sub payment based on final summary report review
- Identified & investigating potential documentation falsification issues – confirmed – meeting with P&C and City Attorney for remedy
- Weekly staff meetings to review projects, site visits, etc.
- Issues being identified and addressed (i.e. missing payrolls, recent employee complaint)
- Conducting compliance audit on large project – identified underpaid employees – Contractor to pay correct wages and submit cancelled checks – will report actual next month when cancelled checks are received and payment verified. *(Resolved, see above)*

**Other**

- ***New Program Manager – finalizing reference checks – offer next week***
- ***Coral Construction Case - decision***
- ***Green Jobs Proposal may come forward this month***
- ***New Main Library Project approved with 20-30% goals – formal status report will be submitted by Turner Construction 9/29/10***
- ***Council member Todd Gloria's Equal Benefits Ordinance***
- ***Civic Center (New City Hall) ballot initiative -Vetoed***
- ***Local Jobs Ordinance returned to Rules – no decision, further discussion required – new approach under consideration***